

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Branch Bank and Trust Company,

Plaintiff,

vs.

Technology Solutions, Inc.; Cathy G. Lanier;
and Randy D. Lanier,

Defendants.

C/A No. 3:13-cv-01318-JFA

ORDER

Cathy G. Lanier and Randy D. Lanier (“Individual Defendants”) have moved for an extension of time within which to respond to outstanding motions and have asked that the trial date be postponed. ECF Nos. 106, 107, 111. In addition to citing family and medical reasons as grounds for extensions, the Individual Defendants have told the court that a postponement of the jury selection on January 7, 2014, is necessary so that they can “complete the requirements of the court for a case in Florida.” ECF. No. 107, p. 1.

At a pretrial conference on Monday, December 16, 2013, this court inquired further as to the nature of the conflict in the Florida litigation. Cathy G. Lanier, one of the Individual Defendants, informed this court that the state court in Lee County, Florida, had directed for the parties to that foreclosure case, including the Individual Defendants, to get together during the first week of January 2014. “[T]he Court has asked for the attorneys and us to meet during that period of time,” Ms. Lanier stated.

Subsequent to the hearing, this court conferred with the judicial assistant for the court in the relevant jurisdiction in Florida. This court was informed that no judicial activity had occurred on the docket of the pending foreclosure case involving the Individual Defendants. In other words, no judge had scheduled a hearing, ordered mediation, or suggested that the parties to the action confer in January or at any other date.

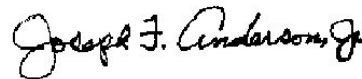
The Individual Defendants hereby are admonished that, in the future, they may not misrepresent the facts in their court submissions and in their other dealings with this court. To do so damages their credibility with the court and quite possibly could subject them to contempt sanctions.

With this as a backdrop, the court nonetheless will postpone the trial date of this case to the two-month term of court beginning March 4, 2014. The court also will extend the Individual Defendants' response date for all pending motions until fourteen days following the date the response otherwise would have been due.

The corporate defendant, Technology Solutions, Inc., has been in default for quite some time, and the court is aware of no just cause for delaying entry of judgment. Thus, the court will enter a separate order awarding judgment to the plaintiff, Branch Bank and Trust Company, against the corporation.

IT IS SO ORDERED.

December 17, 2013
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge